

Message Text

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ACTION SCS-03

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FM AMCONSUL ZAGREB
TO SECSTATE WASHDC 4194
AMEMBASSY BELGRADE

C O N F I D E N T I A L SECTION 1 OF 2 ZAGREB 1069

E.O. 11652: GDS
TAGS: CASC (POD,ELI)
SUBJECT: W/W ARREST CASE OF ELI POD, AMERICAN CITIZEN

REF: ZAGREB 1055 AND PREVIOUS

1. ON DECEMBER 15, 1976 POST RECEIVED PERMISSION FROM REGIONAL COURT AT KARLOVAC THROUGH OFFICE OF CONSULAR AFFAIRS, REPUBLIC OF CROATIA TO VISIT SUBJECT. CONOFF TRAVELED TO KARLOVAC NEXT DAY, DECEMBER 16 WHERE HE MET WITH SUBJECT, SUBJECT'S BROTHER, BORO PODRUMEDJIC, AND LAWYER BENIC. CONOFF MET FIRST WITH SUBJECT FOR 35 MINUTES AND DELIVERED BOOKS, FOOD, AND LETTER FROM FRIEND BIANCA ZAMBELLY OF WEISBADEN, GERMANY. LOCAL GUARD SAT IN DURING CONVERSATION WHICH WAS CONDUCTED IN CROATIAN, AT GUARD'S REQUEST. FOR POD'S INFORMATION, CONOFF ALSO TRANSLATED INTO CROATIAN, AT THE GUARD'S REQUEST, PORTIONS OF LETTERS RECEIVED BY THE CONSULATE GENERAL FROM POD'S FRIENDS, BIANCA ZAMBELLY AND BLANCHE GERVAIS. CONOFF MENTIONED EXPRESSIONS OF INTEREST IN CASE BY SENATOR CHARLES PERCY AND CONGRESSMAN SIDNEY YATES. POD REQUESTED THAT GERVAIS AND ZAMBELLY NOT BE ADVISED OF EACH OTHER'S INTEREST IN HIS CASE.

2. CONSULAR OFFICER TOLD SUBJECT THAT THE AMERICAN
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EMBASSY AT BELGRADE HAD RECEIVED PRESS INQUIRIES AND THAT IT WOULD APPRECIATE HIS GUIDANCE ON THE DISCLOSURE OF INFORMATION. CONOFF REMINDED POD ABOUT THE DISCLOSURE PROVISIONS OF THE PRIVACY ACT. SUBJECT SAID THE AMERICAN PUBLIC SHOULD KNOW ABOUT HIS PLIGHT AND THAT "I AM BEING FALSELY CHARGED AND CONDEMNED FOR SOMETHING WHICH I KNOW

NOTHING ABOUT BY A PERSON WHOSE NAME I DON'T EVEN REMEMBER."
HE STATED THAT HIS NAME COULD BE RELEASED TO THE PRESS AND
THAT COMMENTS ABOUT HIS SITUATION "WOULD BE MOST WELCOME."

3. POD CONTINUES TO BELIEVE THAT HIS PRESENT LAWYER
IS DOING NOTHING FOR HIM. HE REQUESTED CONOFF TO SEEK
THE SERVICES OF A ZAGREB LAWYER ON THE CONSULATE'S LIST OF
ATTORNEYS. (CONOFF HAS ALREADY CONTACTED LOCAL LAWYER
WHO IS CONSIDERING ACCEPTING THE CASE.)

4. POD CLARIFIED CERTAIN POINTS SURROUNDING CONVERSATION AT
RESTAURANT "KOKOT." HE STATED THAT HE HAD DRIVEN FRIENDS BLANCHE
GERVAIS AND HER BROTHER KRESIMIR CASNI TO VRBOVSKO WHERE
CASNI DELIVERED A BOOK. CASNI AND POD THEN ADJOURNED TO
THE RESTAURANT "KOKOT" WHILE GERVAIS WENT TO VISIT AN ACQUAINTANCE
WHOM SHE HAD NOT SEEN FOR A LONG TIME. GERVAIS SUBSEQUENTLY
RETURNED TO THE RESTAURANT WITH MLADEN MAJETIC AND SAT AT
ANOTHER TABLE. POD JOINED THEM A FEW MINUTES LATER.
POD VERIFIED THAT FRIEND GERVAIS KNEW MAJETIC,
AN ACQUAINTANCESHIP GOING BACK TO THE SECOND WORLD
WAR. POD INSISTED THAT HE NEVER MET MAJETIC PREVIOUSLY,
HE DID NOT KNOW WHERE MAJETIC WAS EMPLOYED UNTIL AFTER
BEING ARRESTED, AND THAT THEY TALKED ONLY BRIEFLY ABOUT
"NOTHING." POD STATED THAT HE HAD BEEN FALSELY ACCUSED
BY MAJETIC AND THEN VOCIFEROUSLY CONDEMNED THE
YUGOSLAV POLICE. "THE POLICE (SUP) ARE OUT TO GET AMERICANS;
THEY HAVE NO LOVE FOR AMERICA. I LEFT YUGOSLAVIA ILLEGALLY,
BUT THAT WAS A NUMBER OF YEARS AGO, AND IT IS NO REASON TO
THROW ME INTO JAIL ON A FALSE CHARGE." THE GUARD, WHO HAD
BEEN LISTENING TO POD'S COMMENTS, INTERJECTED STRONGLY AT
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THIS POINT THAT HE, AS A MEMBER OF SUP, THOUGHT POD'S COMMENTS
WERE TOTALLY WRONG. "I LIKE AMERICA; I LIKE AMERICANS. WHY
SHOULD I DO ANYTHING TO HARM PEOPLE I RESPECT. YOU ARE MAKING
FALSE STATEMENTS." WHEN POD REITERATED THAT HE HAD BEEN
FALSELY ACCUSED BY A MEMBER OF SUP, THE GUARD AGAIN INTERRUPTED
TO SAY THAT "THE WORD OF AN OFFICIAL OF SUP IS TO BE BELIEVED.
THE SAME OCCURS IN THE UNITED STATES. WHY SHOULD NOT THE WORD
OF A POLICE OFFICIAL BE ACCEPTED OVER THAT OF AN ORDINARY
CITIZEN?"

5. WHEN CONOFF RAISED SUBJECT OF A YUGOSLAV PASSPORT FOR AN
UNIDENTIFIED PERSON, ALLEGEDLY IMPRISONED AT RIJEKA, POD STATED
THAT HE HAD NEVER BEEN TO RIJEKA, THAT HE KNEW NO ONE WHO
RESIDES IN RIJEKA, AND THAT HE KNEW NO ONE IMPRISONED THERE.

6. AS CONOFF WAS ABOUT TO LEAVE JAIL, LAWYER BENIC
ARRIVED. CONOFF WAS AGAIN ALLOWED TO TALK WITH POD,
THIS TIME IN PRESENCE OF LAWYER. POD TALKED INCESSANTLY

WITH BENIC ABOUT THE AUTOMOBILE HE HAD BORROWED IN GERMANY AND DRIVEN TO YUGOSLAVIA. THE VEHICLE IS REGISTERED IN THE NAME OF VESNA KORLAT, THE WIFE OF BRANKO KORLAT WHOM POD IS SUING FOR THE NON-RETURN OF FUNDS. POD INSISTED, ALMOST TO THE POINT OF BEING IRRATIONAL, THAT THE AUTOMOBILE SHOULD NOT BE TURNED OVER TO MRS. KORLAT OR HER REPRESENTATIVE UNTIL HE (POD) RECEIVES PART OF THE MONEY DUE HIM. LAWYER BENIC EXPLAINED AT LENGTH THAT IF MRS. KORLAT OR A REPRESENTATIVE WITH A POWER OF ATTORNEY WERE TO COME TO YUGOSLAVIA TO RETRIEVE THE VEHICLE, YUGOSLAV AUTHORITIES WOULD BE BOUND BY LAW TO RETURN THE CAR TO ITS PROPER OWNER.

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TO SECSTATE WASHDC 4195

AMEMBASSY BELGRADE

C O N F I D E N T I A L SECTION 2 OF 2 ZAGREB 1069

7. BENIC INFORMED POD THAT HE WAS PREPARING A PETITION ADDRESSED TO THE KOMISIJA ZAOOMILOVANJE (COMMISSION FOR PARDONS) OF THE SPECUTIVE COUNCIL ON THE REPUBLIC OF CROATIA REQUESTING AN OFFICIAL PARDON FOR POD. HE STATED THAT THE COMMISSION MEETS FREQUENTLY AND THAT A DECISION ON THE COMMISSION'S PART WOULD BE FASTER THAN AN APPEAL TO THE SUPREME COURT OF CROATIA WHICH MIGHT NOT ACT ON HIS APPEAL FOR AT LEAST SIX MONTHS. POD AGREED TO THIS APPROACH.

8. CONOFF THEN ACCOMPANIED BENIC TO LOCAL RESTAURANT WHERE BORO PODRUMEDJIC, BROTHER OF SUBJECT, WAS WAITING FOR LAWYER. PODRUMEDJIC EXPLAINED TO CONOFF THAT HIS BROTHER ILLIJA HAD SHORTENED HIS NAME TO ELI POD AFTER DEPARTING YUGOSLAVIA. PODRUMEDJIC HAD SEEN HIS BROTHER EARLIER IN THE DAY AND WOULD RETURN THE FOLLOWING DAY WITH CLOTHES. HE COULD SHED NO FURTHER LIGHT ON HIS BROTHER'S IMPRISONMENT. PODRUMEDJIC STATED THAT HE HAD OBTAINED A VISA AT THE AMERICAN EMBASSY BELGRADE TO VISIT THE UNITED STATES, BUT THAT HIS BROTHER, WHO WAS TO PAY

FOR THE AIRLINE TICKET, WAS NOW UNABLE TO DO SO.

9. PRIOR TO ENTERING THE RESTAURANT, BENIC TOLD CONOFF THAT THE LOCAL AUTHORITIES BELIEVED POD TO BE GUILTY, GIVEN THE STATEMENTS OF THE SUP OFFICIAL MLADEN MAJETIC. HE NOTED THAT THE QUICK DEPARTURE OF GERVAIS FROM YUGOSLAVIA
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IMMEDIATELY PRIOR TO POD'S ARREST ONLY MADE SUP MORE SUSPICIOUS SINCE SHE HAD PERSONALLY GONE TO MAJETIC'S OFFICE AND RECONVINCED HIM TO JOIN POD AT THE RESTAURANT "KOKOT" ALLEGEDLY TO DISCUSS THE MATTER OF A PASSPORT. HE SUGGESTED THAT THE AUTHORITIES CONSIDER HIM TO BE AN EMPLOYEE OF THE CENTRAL INTELLIGENCE AGENCY. CONOFF MENTIONED THAT POD'S CLAIM OF INNOCENSE MIGHT BE THE CORRECT ONE, AND NOTED THAT THE SO-CALLED PERSON FOR WHOM THE PASSPORT WAS DESTINAT HAD NEVER BEEN IDENTIFIED. BENIC SMILED AND RESPONDED "YES, BUT HE HAD BEEN IDENTIFIED." BENIC STATED THAT BORIS GRUDEN, THE PRESIDING JUDGE AT THE ORIGINAL TRIAL TOLD HIM INFORMALLY ON NOVEMBER 26 PRIOR TO THE ACTUAL TRIAL THAT HE HAD BEEN GIVEN A LETTER ADDRESSED TO SUP AT KARLOVAC FROM SUP AT RIJS A IDENTIFYING THE PRISONER IN QUESTION. BENIC STATED THAT THE JUDGE NEITHER TOLD HIM THE NAME OF THE PRISONER NOR SHOWED HIM THE LETTER. BENIC NOTED

THAT THE REGIONAL COURT AT KARLOVAC REJECTED HIS ARGUMENT THAT THE IDENTITY OF THE PRISONER BE REVEALED.

10. BENIC CONTINUED THAT "POD WOULD NEVER HAVE BEEN ARRESTED IF IT HAD NOT BEEN FOR THE ARREST OF A SUP OFFICIAL CHARGED WITH SELLING YUGOSLAV PASSPORTS." BENIC STATED THAT THE OFFICIAL HAD BEEN IN CHARGE OF THE PASSPORT SECTION AT THE SUP OFFICE AT OGULIN, AND THAT HE WAS ARRESTED IN OCTOBER 1976. THE ARREST HAD NOT BEEN REPORTED IN THE PRESS, ACCORDING TO BENIC. ALTHOUGH BENIC DID NOT KNOW THE NAME OF THE OFFICIAL, HE STATED "HE IS IN THERE WITH POD, IN THE SAME JAIL, AND HE HAS NOT BEEN TRIED. HE SOLD FIVE PASSPORTS TO YUGOSLAVIA EMIGRES IN GERMANY (FRG), AND IT IS PROBABLY BECAUSE OF THAT THAT POD WAS ARRESTED. POD ARRIVED IN VRBOVSKO DRIVING AN EXPENSIVE MERCEDES BENZ BEARING GERMAN LICENSE PLATES. THE POLICE THINK THAT HE IS INVOLVED WITH THE FORMER SUP OFFICIAL."

11. THE CONOFF AND BENIC PROCEEDED TO CALL ON THE SUPERINTENDENT OF THE PRISON REGARDING THE TRANSFER OF POD TO SREMSKA
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MITROVICA PRISON. BENIC HAD BEEN TOLD THAT THIS WOULD OCCUR BUT HE DID NOT KNOW WHEN IT WOULD TAKE PLACE. THE SUPERINTENDENT TOLD THE CONOFF THAT THE TRANSFER WOULD OCCUR NO LATER THAN MONDAY, DECEMBER 20. HE ALSO TOLD THE CONOFF THAT ALTHOUGH POD MIGHT BE PERMITTED TO MAKE FURTHER TELEPHONE CALLS TO THE UNITED STATES, THE FACT THAT POD HAD NOT PAID FOR THE FIRST CALL MADE IT IMPOSSIBLE. (IN A LATER CONVERSATION WITH CONOFF, POD SAID THAT HE HAD ASKED THAT HIS CALL TO BLANCHE GERVAIS BE COLLECT.)

12. GIVEN THE PENDING TRANSFER OF POD TO A PRISON IN THE AMERICAN EMBASSY BELGRADE'S CONSULAR DISTRICT, THE SUPERINTENDENT APPROVED THE CONOFF REQUEST TO SEE POD ONCE AGAIN. TOGETHER WITH LAWYER BENIC, THE CONOFF WAS GIVEN 30 MINUTES TO TALK WITH THE SUBJECT. POD WAS VISIBLY UPSET ABOUT THE PENDING TRANSFER WHEN HE LEARNED THAT THE REGULATIONS REGARDING ACCESS BY VISITORS AT SREMSKA MITROVICA ARE MORE STRINGENT THAN AT KARLOVAC. CONOFF ASSURED POD THAT THE EMBASSY WAS FULLY AWARE OF HIS CASE AND THAT HE COULD EXPECT REGULAR VISITS BY A CONSULAR OFFICER UNTIL HIS CASE WAS RESOLVED.

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